



**[4910-13]**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**Docket No. FAA-2016-0021; Airspace Docket No. 16-ANM-1**

**Amendment of Class E Airspace; Ogden-Hinckley, UT**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Final rule.

**SUMMARY:** This action modifies the Class E airspace designated as an extension to the Class D surface area at Ogden-Hinckley Airport, Ogden, UT. The FAA's Aeronautical Information Services identified that the width of the Class E extension to the Class D surface area did not meet the current criteria. This action redefines the controlled airspace area and enhances the safety and management of Standard Instrument Approach Procedures for Instrument Flight Rules (IFR) operations at the airport.

**DATES:** Effective 0901 UTC, September 15, 2016. The Director of the Federal Register approves this incorporation by reference action under Title 1, Code of Federal Regulations, part 51, subject to the annual revision of FAA Order 7400.9 and publication of conforming amendments.

**ADDRESSES:** FAA Order 7400.9Z, Airspace Designations and Reporting Points, and subsequent amendments can be viewed online at

[http://www.faa.gov/air\\_traffic/publications/](http://www.faa.gov/air_traffic/publications/). For further information, you can contact the Airspace Policy Group, Federal Aviation Administration, 800 Independence Avenue, S.W., Washington, D.C., 20591; telephone: 202-267-8783. The Order is also available for

inspection at the National Archives and Records Administration (NARA). For information on the availability of FAA Order 7400.9Z at NARA, call 202-741-6030, or go to [http://www.archives.gov/federal\\_register/code\\_of\\_federal-regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal-regulations/ibr_locations.html).

FAA Order 7400.9, Airspace Designations and Reporting Points, is published yearly and effective on September 15.

**FOR FURTHER INFORMATION CONTACT:** Tom Clark, Federal Aviation Administration, Operations Support Group, Western Service Center, 1601 Lind Avenue SW., Renton, WA, 98057; telephone (425) 203-4511.

**SUPPLEMENTARY INFORMATION:**

**Authority for this Rulemaking**

The FAA's authority to issue rules regarding aviation safety is found in Title 49 of the United States Code. Subtitle I, Section 106 describes the authority of the FAA Administrator. Subtitle VII, Aviation Programs, describes in more detail the scope of the agency's authority. This rulemaking is promulgated under the authority described in Subtitle VII, Part A, Subpart I, Section 40103. Under that section, the FAA is charged with prescribing regulations to assign the use of airspace necessary to ensure the safety of aircraft and the efficient use of airspace. This regulation is within the scope of that authority as it establishes controlled airspace at Ogden-Hinckley Airport, Ogden, UT.

**History**

On March 1, 2016, the FAA published in the FEDERAL REGISTER a notice of proposed rulemaking (NPRM) to modify Class E airspace designated as an extension to a Class D surface area airspace at Ogden-Hinckley Airport, Ogden, UT. (81 FR 10551) Docket FAA-2016-0021. Interested parties were invited to participate in this rulemaking

effort by submitting written comments on the proposal to the FAA. No comments were received.

The legal description language was changed slightly from that contained in the NPRM to add clarity however, no changes to the lateral or horizontal dimensions of the airspace have occurred.

Class E airspace designations are published in paragraph 6004 of FAA Order 7400.9Z, dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR Part 71.1. The Class E airspace designation listed in this document will be published subsequently in the Order.

#### **Availability and Summary of Documents for Incorporation by Reference**

This document amends FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015. FAA Order 7400.9Z is publicly available as listed in the ADDRESSES section of this document. FAA Order 7400.9Z lists Class A, B, C, D, and E airspace areas, air traffic service routes, and reporting points.

#### **The Rule**

This amendment to Title 14, Code of Federal Regulations (14 CFR) part 71 modifies the Class E airspace designated as an extension to the Class D surface area. The airspace would be expanded to 4 miles either side of the 225° radial extending 16 miles southwest of Ogden-Hinckley airport, Ogden, UT. The FAA found this action necessary for the safety and management of aircraft departing and arriving under IFR operations at the airport. Class E airspace designations are published in paragraph 6004 of FAA Order

7400.9Z, dated August 6, 2015, and effective September 15, 2015, which is incorporated by reference in 14 CFR 71.1.

### **Regulatory Notices and Analyses**

The FAA has determined that this regulation only involves an established body of technical regulations for which frequent and routine amendments are necessary to keep them operationally current, is non-controversial and unlikely to result in adverse or negative comments. It, therefore: (1) is not a "significant regulatory action" under Executive Order 12866; (2) is not a "significant rule" under DOT Regulatory Policies and Procedures (44 FR 11034; February 26, 1979); and (3) does not warrant preparation of a Regulatory Evaluation as the anticipated impact is so minimal. Since this is a routine matter that only affects air traffic procedures and air navigation, it is certified that this rule, when promulgated, does not have a significant economic impact on a substantial number of small entities under the criteria of the Regulatory Flexibility Act.

### **Environmental Review**

The FAA has determined that this action qualifies for categorical exclusion under the National Environmental Policy Act in accordance with FAA Order 1050.1F, "Environmental Impacts: Policies and Procedures," paragraph 5-6.5a. This airspace action is not expected to cause any potentially significant environmental impacts, and no extraordinary circumstances exist that warrant preparation of an environmental assessment.

### **Lists of Subjects in 14 CFR Part 71**

Airspace, Incorporation by reference, Navigation (Air).

### **Adoption of the Amendment**

In consideration of the foregoing, the Federal Aviation Administration amends 14 CFR Part 71 as follows:

**PART 71 --DESIGNATION OF CLASS A, B, C, D, AND E AIRSPACE AREAS; AIR TRAFFIC SERVICE ROUTES; AND REPORTING POINTS**

1. The authority citation for Part 71 continues to read as follows:

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

**§71.1 [Amended]**

2. The incorporation by reference in 14 CFR 71.1 of FAA Order 7400.9Z, Airspace Designations and Reporting Points, dated August 6, 2015, and effective September 15, 2015, is amended as follows:

Paragraph 6004: Class E Airspace Areas Designated as an Extension to a Class D or Class E Surface Area

\* \* \* \* \*

**ANM UT E4 Ogden-Hinckley Airport, UT [Modified]**

Ogden-Hinckley Airport, UT

(lat. 41°11'44"N., long. 112°00'47"W.)

Hill AFB, UT

(lat. 41°07'26"N., long. 111°58'23"W.)

That airspace extending upward from the surface within the area bounded by a line 4 miles northwest and parallel to the 225° radial of Ogden-Hinckley Airport, extending from the 4.3-mile radius to 16 miles southwest of the airport, thence to lat. 40°57'3" N., long. 112°12'44" W., thence to lat. 41°10'59"N., long. 111°54'31"W., thence to the point of beginning.

Issued in Seattle, Washington, on June 2, 2016.

Tracey Johnson,

Manager,

Operations Support Group,

Western Service Center.

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